

**SUPREME COURT MINUTES
WEDNESDAY, MAY 21, 2008
SAN FRANCISCO, CALIFORNIA**

S162029 B198220 Second Appellate District, Div. 5 **BOEKEN (JUDY) v. PHILLIP MORRIS USA INCORPORATED**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S162156 C055838 Third Appellate District **B. (S.), IN RE**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S162435 B189898 Second Appellate District, Div. 8 **MCCANN (TERRY) v. WHEELER (FOSTER)**

Petition for review granted (civil case)

Votes: George, C. J., Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S161825 C052350 Third Appellate District **PEOPLE v. PUNCH (JOSEPH CHARLES)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Towne*, S125677 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S160110 **DANIELS (JARVIS) ON H.C.**

OSC issued, returnable in superior court

The Director of Corrections is ordered to show cause before the Riverside County Superior Court, when the matter is ordered on calendar, why petitioner is not entitled to additional presentence custody credits. (See Pen. Code, § 2900.5, subd. (b); *People v. Bruner* (1995) 9 Cal.4th 1178; *In re Young* (2004) 32 Cal.4th 900, 909, fn. 5.) The return is to be filed on or before June 20, 2008.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S125670**BROWN (ANDREW
LAMONT) ON H.C.**

Petition for writ of habeas corpus denied (AA)

All claims are denied on the merits, except for claims 26 and 27, which are denied as premature, without prejudice to renewal after an execution date is set. With the exception of claims 8, 9, 22, 26, 27, 28, 29 (except to the extent it challenges the adequacy of a jury instruction as given to the jury in this case), and 31, all claims are denied as untimely under *In re Robbins* (1998) 18 Cal.4th 770, and *In re Clark* (1993) 5 Cal.4th 750. In addition, claim 25, to the extent it challenges the trial court's decision not to conduct an evidentiary hearing concerning possible juror misconduct, is denied on the ground that this claim was raised and rejected on appeal (*In re Waltreus* (1965) 62 Cal.2d 218, 225), and to the extent it challenges the trial court's finding that no juror misconduct occurred, is denied on the ground that it could have and should have been raised on appeal (*In re Dixon* (1953) 41 Cal.2d 756, 759). Claim 29, to the extent it challenges the adequacy of a jury instruction as given to the jury in this case, is denied on the ground that it could have and should have been raised on appeal. (*Ibid.*) Claim 7 is denied on the ground that it should have been raised before the trial court. (*In re Seaton* (2004) 34 Cal.4th 193.)

Werdegarr, J., would not deny claim 7 on the ground it should have been raised before the trial court.

S136785**BROWN (ANDREW
LAMONT) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for a writ of habeas corpus, filed August 26, 2005, is denied. All claims are denied on the merits. All claims, except Claim 10, are denied as untimely under *In re Robbins* (1998) 18 Cal.4th 770, and *In re Clark* (1993) 5 Cal.4th 750. All claims, except Claim 10, are denied as successive under *In re Robbins, supra*, 18 Cal.4th 770, and *In re Clark, supra*, 5 Cal.4th 750. In addition, claims 1, 2, 3, 4, 5, 6, 8, 12, 13, 15, and 16, except to the extent that they assert the denial of the right to effective assistance of counsel, are denied on the ground that they could have and should have been raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.) Claim 9 is denied on the ground that claims of insufficient evidence to support the judgment may not be entertained on habeas corpus. (*In re Lindley* (1947) 297 Cal.2d 709, 723.) Claim 12, subclaim C, to the extent it challenges the admission of the testimony of the victim's mother and mother-in-law, is denied on the ground that it was raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

S155331**MCDERMOTT (MAUREEN)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

The requests of petitioner and respondent that we judicially notice the records in her appeal (*People v. McDermott* (2002) 28 Cal.4th 946, case number S016081), and in her two previous petitions for writs of habeas corpus (case numbers S092813 and S130708) are granted.

The petition for writ of habeas corpus filed on August 10, 2007, is denied. Each claim is denied on its merits.

S161423 B197604 Second Appellate District, Div. 3**PEOPLE v. KIM (KEUNG
HAN)**

Petition for review denied

S161617 B183532 Second Appellate District, Div. 6**VENTURA, COUNTY OF v.
CHANNEL ISLANDS
MARINA, INC.**

Petition for review denied

Kennnard, Baxter, and Werdegarr, JJ., are of the opinion the petition should be granted.

S161750 H030422 Sixth Appellate District**PEOPLE v. LEBBOS (BETSEY
WARREN)**

Petition for review & publication request(s) denied

S161796 D050375 Fourth Appellate District, Div. 1**PEOPLE v. MONTERROSO
(LUIS DANIEL)**

Petitions for review denied

S161815 B205219 Second Appellate District, Div. 4**TOPALIAN (CARLO) ON H.C.**

Petition for review denied

S161838 C051991 Third Appellate District**PEOPLE v. MORRISON
(TRESSA JOANNE)**

Petition for review denied

Werdegarr, J., is of the opinion the petition should be granted.

S161901 B196697 Second Appellate District, Div. 5
Petition for review denied

M. (D.), IN RE

S161907 A111629 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VON STADEN
(KURT D.)**

S161912 H030989 Sixth Appellate District
Petition for review denied

C. (FOREST), IN RE

S161913 H032229 Sixth Appellate District
Petition for review denied

C. (FOREST) ON H.C.

S161942 A111248 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. VARGAS
(ERNESTO LUIS)**

S161957 A115240 First Appellate District, Div. 3

Petition for review & publication request(s) denied

**NUANES (ROSALIE) v.
INSIGNIA FINANCIAL
GROUP
INCORPORATED/(BEROL)**

S161976 A120608 First Appellate District, Div. 3
Petition for review denied

QUESADA (DAVID) ON H.C.

S161982 G038598 Fourth Appellate District, Div. 3
Petition for review denied

NGO (HUY) ON H.C.

S161989 B206308 Second Appellate District, Div. 7
Petition for review denied

WU (HENRY NGO) ON H.C.

S161990 A116034/A117978 First Appellate District, Div. 3 **PEOPLE v. STONE (STEVEN MICHAEL)**

Petition for review denied

S161991 F054586 Fifth Appellate District
ON

Petition for review denied

KANE (MORGAN JAMES)

H.C.

S162004 F053276 Fifth Appellate District

Petition for review denied

**BANKSTON (LEWIS DALE)
ON H.C.**

S162010 B194162 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MOLINA
(RONNIE)**

S162017 A111633 First Appellate District, Div. 1
Petition for review denied

PEOPLE v. CALVIN (GARY)

S162026 B194403 Second Appellate District, Div. 6
Petition for review & depublication request(s) denied

PEOPLE v. TAYLOR (KORY)

S162030 A120847 First Appellate District, Div. 4
Petition for review denied

BIBBS (ALBERT) ON H.C.

S162045 H030305 Sixth Appellate District

Petition for review denied

**PEOPLE v. SATTERFIELD
(JOSHUA THOMAS)**

S162064 D048690 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MORREO (JASON
CHRISTIAN)**

S162079 B206125 Second Appellate District, Div. 2 **REGISTER (KASH) ON H.C.**
Petition for review denied

S162081 B194027/B195547 Second Appellate District, Div. 3 **PEOPLE v. MORRIS (JAMES KAMPLY)**
Petitions for review denied

S162088 C053275 Third Appellate District **PEOPLE v. MALDONADO (URIEL CHAVEZ)**
Petition for review denied

S162099 D050037 Fourth Appellate District, Div. 1 **N. (CARL), IN RE**
Petition for review denied

S162104 H031324 Sixth Appellate District **SATTERFIELD (JOSHUA THOMAS) ON H.C.**
Petition for review denied

S162109 A114767 First Appellate District, Div. 3 **PEOPLE v. MCQUEEN (JAMES BYRD)**
Petition for review denied

S162122 C058284 Third Appellate District **BROWN (CHARLES) ON H.C.**
Petition for review denied

S162124 D052110 Fourth Appellate District, Div. 1 **BARTHOLOMEW (TROY A.) ON H.C.**
Petition for review denied

S162133 F054804 Fifth Appellate District **WILLIAMS (STEVEN) ON H.C.**
Petition for review denied

S162137 B206228 Second Appellate District, Div. 2
Petition for review denied
The motion to seal Exhibit I is granted.

ORNELAS (JOSE L.), IN RE

S162148 F050952 Fifth Appellate District

**VALLEY ADVOCATES v.
CITY OF FRESNO (PEREZ,
WILLIAMS & MEDINA)**

Petition for review & depublication request(s) denied

S162161 A115484 First Appellate District, Div. 5

**PEOPLE v. KNIGHT
(RONALD GENE)**

Petition for review denied

S162167 D049432 Fourth Appellate District, Div. 1

**PEOPLE v. ELDER (MARK
FRANCIS)**

Petition for review denied

S162199 D050292 Fourth Appellate District, Div. 1

**PEOPLE v. HEDGE
(MATTHEW HARVEY)**

Petition for review denied

S162291 D050373 Fourth Appellate District, Div. 1

**UPPER DECK COMPANY v.
ORRICK HERRINGTON &
SUTCLIFFE**

Petition for review denied

S162306 F051308 Fifth Appellate District

**PEOPLE v. ROBINSON
(JIMMY LEE)**

Petition for review denied

S162311 B206077 Second Appellate District, Div. 6

**OKERBLOM (WILLIAM) v.
S.C. (PEOPLE)**

Petition for review denied

S162331 G038760 Fourth Appellate District, Div. 3
Petition for review denied

D. (S.), IN RE

S162345 H032519 Sixth Appellate District

Petition for review denied

**PRINCE (DAVID) v. S.C.
(NELSON)**

S162346 C057691 Third Appellate District

Petition for review denied

**DEGARIBALDO (DINA) v.
WORKERS'
COMPENSATION APPEALS
BOARD**

S162349 B193863 Second Appellate District, Div. 8

Petition for review denied

**KUIST (GARY G.) v. HODGE
(RICHARD E.)**

S162368 B200619 Second Appellate District, Div. 7

Petition for review and application for stay denied

**JENSEN (ROBYN MAUREEN)
v. S.C. (PEOPLE)**

S162374 B206405 Second Appellate District, Div. 3

Petition for review denied

**WATERS (MICHAEL LYNN)
ON H.C.**

S162378 B196796 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WATSON
(JOHNTE DEJUAN)**

S162386 E045364 Fourth Appellate District, Div. 2

Petition for review denied
The request for judicial notice is denied.

**WILDE (ROBERT) v. S.C. (GS
MOTORCARS, INC.)**

Kennard, J., is of the opinion the petition should be granted.

S162452 B200690 Second Appellate District, Div. 7

Petition for review & depublication request(s) denied

**HENRY (JOE) v. S.C.
(REININK)**

S162455 G040084 Fourth Appellate District, Div. 3

Petition for review denied

**M. (DOUG) v. S.C. (ORANGE
COUNTY SOCIAL SERVICES
AGENCY)**

S162471 D049890 Fourth Appellate District, Div. 1

Petition for review denied

**REAL ESTATE ANALYTICS
LLC. v. VALLAS
(THEODORE TEE)**

S162473 A116935 First Appellate District, Div. 2

Petition for review & depublication request(s) denied

**FREMONT, CITY OF v.
FISHER (GEORGE W.)**

S162476 A114289 First Appellate District, Div. 5

Petition for review denied

**DEMERY (LINDA) v.
HARTFORD
UNDERWRITERS
INSURANCE COMPANY**

S162479 B191465 Second Appellate District, Div. 2

Petition for review denied

**MOWATT (ALICE) v. CITY
OF LOS ANGELES**

S162490 E045286 Fourth Appellate District, Div. 2

Petition for review denied

**NIETO (MICHAEL THOMAS)
ON H.C.**

S162532 C052927 Third Appellate District

Petition for review denied

**BICHER (JAMES H. I.) v. S.C.
(MEDICAL BOARD OF
CALIFORNIA)**

S162550 G039168 Fourth Appellate District, Div. 3
Petition for review denied

E. (ANDRE), IN RE

S162564 B195284 Second Appellate District, Div. 1

Petition for review denied

**PADILLA (LESLIE) v. RODAS
(ISMAEL RUANO)**

S162565 B192054 Second Appellate District, Div. 1

Petition for review denied

**POLLAK (MARISSA) v.
GOLDMAN, M.D., (SCOTT)**

S162574 F052316 Fifth Appellate District

Petition for review denied

**PEOPLE v. TORRES
(ELIZABETH FERNANDEZ)**

S162589 C058508 Third Appellate District

Petition for review denied

**CONCHAS (RUBEN PAUL)
ON H.C.**

S162597 C052599 Third Appellate District

Petition for review denied

**PEOPLE v. TEETERS
(DARRYL WESLEY)**

S162606 B198102 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. NIZ (RALPH
JESSE)**

S162612	C054439 Third Appellate District	PEOPLE v. DUBY (TAMMY LEE)
Petition for review denied		
S162616	B172940 Second Appellate District, Div. 8	PEOPLE v. MITCHELL (JESSICA JULIE)
Petition for review denied		
S162618	A115606 First Appellate District, Div. 2	PEOPLE v. BURNETTE (JAMES OPHUS)
Petition for review denied		
S162620	D050235 Fourth Appellate District, Div. 1	PEOPLE v. QUEEN (BRADLEY)
Petition for review denied		
S162634	B206690 Second Appellate District, Div. 1	MOORE (CARTER TERRELL) ON H.C.
Petition for review denied		
Moreno, J., was recused and did not participate.		
S162636	A114246 First Appellate District, Div. 2	PEOPLE v. VILLEDA (JOSE LUIS RIVERA)
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides <i>Oregon v. Ice</i> , No. 07-901.		
S162638	F052845 Fifth Appellate District	PEOPLE v. STINNETT (DANIEL DALE)
Petition for review denied		
S162641	A117408 First Appellate District, Div. 5	PEOPLE v. SAMPLE (JOSEPH)
Petition for review denied		

S162644 A121014 First Appellate District, Div. 1

Petition for review denied

**BRASURE (SPENCER A.) ON
H.C.**

S162651 G039827 Fourth Appellate District, Div. 3

Petition for review denied

**VITAS HEALTHCARE
CORPORATION v.
WORKERS'
COMPENSATION APPEALS
BOARD (SAWYER)**

S162652 B194747 Second Appellate District, Div. 3

Petition for review denied

**WALL (BOB) v. DILLARD
(MIKE)**

S162672 B196924 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WHETSTONE
(JAMES LEE)**

S162689 A120935 First Appellate District, Div. 1

Petition for review denied

**HARRISON (CEDRIC S.) ON
H.C.**

S162742 C055754 Third Appellate District

Petition for review denied

**PEOPLE v. NELSON
(DONALD RAY)**

S162746 C054840 Third Appellate District

Petition for review denied

**PEOPLE v. ROY (DAVID
STEWART)**

S162747 B203683 Second Appellate District, Div. 3

Petition for review denied

ALLS (SHAWN) ON H.C.

S162748 A119029 First Appellate District, Div. 5
Petition for review denied

S. (GAVIN), IN RE

S162751 E041648 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. THOMANN
(ROBERT LOUIS)**

S162754 E043092 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HENDERSON
(DALE DUANE)**

S162759 C055528 Third Appellate District
(KEVIN)
Petition for review denied

PEOPLE v. DANIELS

S162761 B197404 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. GONZALEZ
(ALBERTO DANIEL)**

S162765 B198105 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. SANDOVAL
(ALEJANDRO)**

S162775 F052850 Fifth Appellate District

Petition for review denied

**PEOPLE v. CONRIQUEZ
(JIMMY)**

S162776 D050529 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ROTH
(CHRISTOPHER P.)**

S162777 C049610 Third Appellate District

**PEOPLE v. CURTWRIGHT
(MARK ROBERT)**

Petition for review denied

S162781 B196858 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. BLUME
(JESSICA)**

S162785 D049649 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PARTEE (JASON
DEE)**

S162789 B197834 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BELL (DAMON
LORENZO)**

S162792 A112442 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ROGERS
(MICHAEL DOUGLAS)**

S162793 B201915 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. PORTILLO
(EDWARD)**

S162794 B197843 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. DOTSON (TRACY
LEE)**

S162795 F051853 Fifth Appellate District

Petition for review denied

**PEOPLE v. PERRY (ROBERT
DANIEL)**

S162808 B192677 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. DEFILIPPO
(JESSIE DANIEL)**

S162810 B198597 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. REYNOLDS
(DAMON)**

S163030 D052447 Fourth Appellate District, Div. 1

Petition for review denied

**CC-LA JOLLA, INC. v. S.C.
(SHORT)**

S163478 A118789 First Appellate District, Div. 5

Petition for review and application for stay denied

**MACKINTOSH (ALBYN
DOUGLAS) v. HALF MOON
BAY FIRE PROTECTION
DISTRICT**

S163479 A121383 First Appellate District, Div. 4

Petition for review and application for stay denied

**ASSAWASUKSANT (YUPA) v.
S.C. (HEIERLE)**

S155449

Petition for writ of habeas corpus denied

**CHAKER (DARREN D.) ON
H.C.**

S157255

Petition for writ of habeas corpus denied

**ARENAS (DANIEL S.) ON
H.C.**

S157462

Petition for writ of habeas corpus denied

**ROMERO (WILLIAM A.) ON
H.C.**

S157598

Petition for writ of habeas corpus denied

**BEJARANO (JOHN RENE)
ON H.C.**

S157605

Petition for writ of habeas corpus denied

PORRAS (NEVILLE) ON H.C.

S157628

Petition for writ of habeas corpus denied

**ZAMORA (GERMAN) ON
H.C.**

S157938

Petition for writ of habeas corpus denied

**ROBLES (MARVIN LEE) ON
H.C.**

S158039

Petition for writ of habeas corpus denied

**HAMPTON (ARMSTER) ON
H.C.**

S158099

Petition for writ of habeas corpus denied

MILLS (FABIAN C.) ON H.C.

S158102

Petition for writ of habeas corpus denied

REEVES (HORACE) ON H.C.

S158107

Petition for writ of habeas corpus denied

**SULLIVAN (RAFAEL) ON
H.C.**

S158109

Petition for writ of habeas corpus denied

WHITE (CRAIG) ON H.C.

S158157

Petition for writ of habeas corpus denied

JOSEPH (PHILLIP) ON H.C.

S158159

Petition for writ of habeas corpus denied

**SMITH (DANNY RAY) ON
H.C.**

S158198

Petition for writ of habeas corpus denied

NGUYEN (HUNG) ON H.C.

S158254

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**MCELROY (LATWAHN) ON
H.C.**

S158560

Petition for writ of habeas corpus denied

**FARLOUGH (DEXTER S. C.)
ON H.C.**

S158584

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**DEMIRDJIAN (MICHAEL)
ON H.C.**

S158652

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**GARRETT (CRAIG K.) ON
H.C.**

S158653

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**FURR (KEVIN NIGEL) ON
H.C.**

S158654

Petition for writ of habeas corpus denied

**TAYLOR, JR., (MICHAEL
DAVID) ON H.C.**

S158660

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

BONNER (JOEY) ON H.C.

S158671

Petition for writ of habeas corpus denied

**BRADLEY (MICHAEL
ANTHONY) ON H.C.**

S158675

Petition for writ of habeas corpus denied

**TAPIA (ADAM GREGORY)
ON H.C.**

S158679

Petition for writ of habeas corpus denied

**HILLARD (MAURICE) ON
H.C.**

S158683

Petition for writ of habeas corpus denied

**TROUONG (HOANG VINH)
ON H.C.**

S158685

Petition for writ of habeas corpus denied

**REYNOSO (TRINIDAD) ON
H.C.**

S158695

Petition for writ of habeas corpus denied

**CARAFI, JR., (ANTHONY
DOMENIC) ON H.C.**

S158699

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**TALVENSARRI (ERIC P.) ON
H.C.**

S158729

Petition for writ of habeas corpus denied

HOOKE (CAMERON) ON H.C.**S158757**

Petition for writ of habeas corpus denied

HALL (ALEXANDER CONTEE) ON H.C.**S158769**

Petition for writ of habeas corpus denied

WILLIAMS (CHARLES) ON H.C.**S158774**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**WRIGHT (ERICK) ON H.C.****S158795**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**ASTORGA (EDIL) ON H.C.****S158796**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**THOMPSON (MAYFIELD) ON H.C.****S158841**

Petition for writ of habeas corpus denied

RADONICH (DONALD) ON H.C.**S158846**

Petition for writ of habeas corpus denied

WELCH (KENNON C.) ON H.C.

S158857

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734.)

CRUZ (ALBERT) ON H.C.**S158971**

Petition for writ of habeas corpus denied

**GRACIN (JAMES MARK) ON
H.C.****S158984**

Petition for writ of habeas corpus denied

**SANCHEZ (SALVADOR
GONZALEZ) ON H.C.****S158988**

Petition for writ of habeas corpus denied

**DUNCAN (CHESTER) ON
H.C.****S158992**

Petition for writ of habeas corpus denied

VASQUEZ (LUIS) ON H.C.**S159001**

Petition for writ of habeas corpus denied

**WILLIAMS (JOHN W.) ON
H.C.****S159010**

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**BRANDON (MICHAEL) ON
H.C.****S159017****JAMES)**

Petition for writ of habeas corpus denied

**CHAMBERS (EDWIN
ON H.C.**

S159030

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

HO (DAI HGOC) ON H.C.

S159031

Petition for writ of habeas corpus denied

**GARCIA (DAVID FLORES)
ON H.C.**

S159034

Petition for writ of habeas corpus denied

**MENA (ROBERT
SALVADOR) ON H.C.**

S159079

Petition for writ of habeas corpus denied

**TAMAYO (LUIS M.
CERVANTES) ON H.C.**

S159081

Petition for writ of habeas corpus denied

LOZANO (EDWARD) ON H.C.

S159103

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

VICENTE (MARIO) ON H.C.

S159284

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

MOTEN (JESSE T.) ON H.C.

S160125

Petition for writ of habeas corpus denied

**ZAMORA (GERMAN) ON
H.C.**

S160617

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

CRUZ (ALBERT) ON H.C.

S160834

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734.)

**FARLOUGH (DEXTER S. C.)
ON H.C.**

S161030

Petition for writ of habeas corpus denied

MENCY (JASON) ON H.C.

S162462

Petition for writ of habeas corpus denied

ADLER (BRENT) ON H.C.

S162649

Petition for writ of habeas corpus denied

**LACY (DENNIS EVERETT)
ON H.C.**

S162965

Petition for writ of habeas corpus denied

MOTEN (JESSE T.) ON H.C.

S163028

Petition for writ of habeas corpus denied

ROBERSON (KEITH) ON H.C.

S163079

Petition for writ of habeas corpus denied

SMITH (BRANDON) ON H.C.

S163148

Petition for writ of habeas corpus denied

**MISH, JR., (JOAQUIN
ANTONIO) ON H.C.**

S163150

Petition for writ of habeas corpus denied

VALDEZ (JOSE) ON H.C.**S163220**

Petition for writ of habeas corpus denied

**RHODES (BERNARD) ON
H.C.****S162078**

A120437 First Appellate District, Div. 3

Publication request denied (case closed)

**PAN (JESSICA) v. S.C.
(BEESLEY)****S162106**

B198009 Second Appellate District, Div. 2

Publication request denied (case closed)

**MEJIA (MARIA) v.
HAMBURG, KARIC,
EDWARDS & MARTIN LLP.****S162143**

A116364 First Appellate District, Div. 1

Depublication request denied (case closed)

**HEALTHCARE WORKERS
UNION AFL-CIO v.
COLCORD (TORREN)****S162147**

A117305 First Appellate District, Div. 3

Publication request denied (case closed)

**KUMAR (ALEX) v. S.C. (CITY
OF CLOVERDALE)****S162547**

A117221 First Appellate District, Div. 3

Depublication request denied (case closed)

**WHITLOCK (PAUL) v.
FOSTER WHEELER LLC.****S162338**

B193745 Second Appellate District, Div. 1

RUHL**ADAIMY (EDMOND) v.****(SANDRA)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2008.

S051342**PEOPLE v. CUNNINGHAM
(JOHN LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Ronald A. Jakob's representation that he anticipates filing the respondent's brief by September 30, 2008, counsel's request for an extension of time in which to file that brief is granted to July 31, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S055856**PEOPLE v. ROMERO
(ORLANDO GENE) & SELF
(CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel William D. Farber's representation that he anticipates filing appellant Christopher Self's reply brief by August 19, 2009, counsel's request for an extension of time in which to file that brief is granted to July 18, 2008. After that date, only seven further extensions totaling about 390 additional days are contemplated.

S059912**PEOPLE v. MONTES
(JOSEPH MANUEL)**

Extension of time granted

Good cause appearing, and based upon counsel Sharon Fleming's representation that she anticipates filing the appellant's opening brief by June 30, 2008, counsel's request for an extension of time in which to file that brief is granted to June 30, 2008. After that date, no further extension is contemplated.

S080054**PEOPLE v. LINTON (DANIEL
ANDREW)**

Extension of time granted

Good cause appearing, and based upon counsel Diane E. Berley's representation that she anticipates filing the appellant's opening brief by August 13, 2008, counsel's request for an extension of time in which to file that brief is granted to July 15, 2008. After that date, only one further extension totaling about 29 additional days is contemplated.

S080840**PEOPLE v. ROGERS (GLEN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender William Hassler's representation that he anticipates filing the appellant's reply brief by March 31, 2009, counsel's request for an extension of time in which to file that brief is granted to July 28, 2008. After that date, only four further extensions totaling about 246 additional days are contemplated.

S084292**ROGERS (DAVID KEITH) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General George M. Hendrickson's representation that he anticipates filing the return to the order to show cause by September 16, 2008, counsel's request for an extension of time in which to file that brief is granted to July 18, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S092410**PEOPLE v. NIEVES (SANDI
DAWN)**

Extension of time granted

Good cause appearing, and based upon counsel Amitai Schwartz's representation that he anticipates filing the appellant's opening brief by September 2008, counsel's request for an extension of time in which to file that brief is granted to July 28, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S153780**CARTER (DEAN PHILLIP)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Jeffrey J. Koch's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by July 22, 2008, counsel's request for an extension of time in which to file that document is granted to July 22, 2008. After that date, no further extension is contemplated.

S153902**PARSON (RICHARD R.) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Pamala Sayasane's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 22, 2008, counsel's request for an extension of time in which to file that document is granted to July 22, 2008. After that date, no further extension will be granted.

S156846**ROYBAL (RUDOLPH JOSE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel John Lanahan's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by November 25, 2008, counsel's request for an extension of time in which to file that document is granted to July 28, 2008. After that date, only two further extensions totaling about 120 additional days are contemplated.

S158528 C044703 Third Appellate District
(PAUL**PEOPLE v. ROBINSON

EUGENE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 23, 2008.

S012279**PEOPLE v. LUCAS (DAVID
ALLEN)**

Order filed

Appellant's "Application For Leave To File Overlength Reply Brief" is granted.

S087773**PEOPLE v. GOMEZ (RUBEN
PEREZ)**

Motion denied

Appellant Ruben Perez Gomez's "Motion to Preserve Records, Evidence, Exhibits, Files, and Other Items Related to Automatic Appeal," filed on April 11, 2008, is denied.

S155872 D049895 Fourth Appellate District, Div. 1**SHAPUTIS (RICHARD) ON
H.C.**

Order filed

The request of counsel for petitioner in the above-referenced cause to allow two counsel to argue on behalf of petitioner at oral argument is hereby granted. Counsel for petitioner will be allocated 15 minutes for oral argument. Monica Knox, Assistant Federal Defender, will be allocated the remaining 15 minutes of petitioner's 30-minute allotted time for oral argument.

S156598 B201396 Second Appellate District, Div. 3**BROWN, WINFIELD &
CANZONERI, INC. v. S.C.
(GREAT AMERICAN
INSURANCE COMPANY)**

Order filed

The motion for reconsideration of the order denying the motion of Great American Insurance Company to dismiss the above-entitled proceeding is denied. Brown, Winfield & Canzoneri, Inc., is directed to serve and file its answer brief within 30 days after the date of this order.

This court has granted review in the above-entitled action of an order issued by the Court of Appeal, Second Appellate District, Division Three, on August 28, 2007, which informed the parties that the Court of Appeal was considering issuing a peremptory writ of mandate in the first instance, and conferred upon the trial court 'the power and jurisdiction to change and correct its erroneous order.' This court has directed the parties to brief the following issues:

- (1) May a Court of Appeal issue a 'suggestive *Palma* notice' (see *Palma v. U.S. Industrial Fasteners, Inc.* (1984) 36 Cal.3d 171) — that is, a notice that discusses the merits of a writ petition with citation to authority, determines that the trial court ruling was 'erroneous,' and gives the trial court the 'power and jurisdiction' to change its order?
- (2) If such an order is proper, absent exceptional circumstances, may it be issued without giving the real party in interest an opportunity to file opposition?

The Court of Appeal, Second Appellate District, is invited to submit an amicus curiae brief addressing the propriety of its August 28, 2007, order.

S160990**DEMETRULIAS (GREGORY
SPIROS) ON H.C.**

Motion to file document under seal denied

Petitioner's "Application for Order to File Petition for Writ of Habeas Corpus Under Seal," filed on February 21, 2008, is denied. (See Cal. Rules of Court, rules 8.160, 2.550(d); see also *People v. Ledesma* (2006) 39 Cal.4th 641, 695.) The Clerk is directed to return the lodged materials to petitioner. (Cal. Rules of Court, rule 2.551(b)(6).) In addition, because, in light of this order, the petition and exhibits filed on February 19, 2008, are improperly redacted, they are hereby stricken. Within 30 days of the date of this order, petitioner may file corrected copies of the

petition and exhibits that comply with the terms of this order. If in the corrected petition petitioner refers to any juror questionnaire materials from the trial record, he should file, with the exhibits, copies of such materials with the jurors' names replaced by some other means of identification, lodge under seal unredacted copies of the materials, and file an application to file the unredacted copies under seal. The petition should refer to the materials using the alternate means of identification used in the publicly filed exhibits. If petitioner complies with this order, the petition will be filed as of February 19, 2008, and the current schedule for informal briefing will remain in effect. The corrected petition and exhibits will only be accepted to the extent that they comply with the terms of this order — no other alterations will be accepted.

S161451

**HAWTHORNE (CARLOS
ANTHONY) ON H.C.**

Motion denied

Appellant's request for "injunctive relief and discovery demands," filed on March 5, 2008, is denied.

